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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 GREGORY BENDER,

No. C 09-1248 SI

9 Plaintiff,

10 v.  
11 **ORDER TO SHOW CAUSE WHY  
12 SIEMENS CORPORATION, et al.,  
13 Defendants.**  
14 Plaintiff filed this action on March 23, 2009. As of July 29, 2009, plaintiff has not filed proof  
15 of having served defendant Siemens Corporation, nor has that defendant appeared. Plaintiff has neither  
16 sought nor received permission to extend the 120 day period for service mandated by Rule 4(m) of the  
17 Federal Rules of Civil Procedure. Accordingly, **plaintiff is ordered to show cause in writing, to be  
18 filed no later than August 5, 2009, why this action should not be dismissed without prejudice for  
19 failure to timely serve.**

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20 **IT IS SO ORDERED.**

21 Dated: July 29, 2009

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*Susan Illston*  
SUSAN ILLSTON  
United States District Judge